

This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: December 10, 2020



  
C. Kathryn Preston  
United States Bankruptcy Judge

202003446  
rc

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
AT COLUMBUS

IN RE:

KAREN LEE SMITH FKA KAREN L PRATT,  
Debtor

Case No. 20-53989

Chapter 13

Judge C. Kathryn Preston

**AGREED ORDER RESOLVING  
OBJECTION TO CONFIRMATION  
OF DEBTOR'S PLAN FILED BY  
QUICKEN LOANS, LLC  
FORMERLY KNOWN AS (FKA)  
QUICKEN LOANS INC. FILED ON  
SEPTEMBER 16, 2020 (PROPERTY  
ADDRESS: 438 EAST FRANKLIN  
STREET, CIRCLEVILLE, OH 43113)  
DOCKET NO. 15**

This matter having come before the Court upon the Objection to Debtor's Plan filed herein

on September 16, 2020 as PACER Docket No. 15 (hereinafter "Objection") by the secured creditor, Quicken Loans, LLC Formerly Known As (FKA) Quicken Loans Inc. ("Creditor"); and it appearing to the Court that the parties have agreed to a course of action which will otherwise resolve the Objection; and having stipulated that Creditor's Proof of Claim filed on September 29, 2020 as Claim No. 3, which includes a pre-petition arrearage claim in the amount of \$481.43 ("arrearage") is based upon a properly perfected security interest in the real property located at 438 East Franklin Street, Circleville, OH 43113 ("Real Property"), it is hereby ORDERED that:

1. Creditor is permitted to apply the mortgage payment received from Debtors, post-petition on August 29, 2020 in the amount of \$481.43, intended for the August 1, 2020 regular monthly mortgage payment to the August 1, 2020 regular monthly mortgage payment curing the pre-petition arrearage in the filed Proof of Claim.

2. The arrearage in Creditor's Proof of Claim shall not be scheduled for payment by the Chapter 13 Trustee, and the pre-petition arrearage portion of the Proof of Claim is hereby disallowed.

3. The Debtor shall resume all her regular monthly mortgage payments outside the plan directly to Creditor, subject to any post-petition payment changes, and to make all payments in a timely fashion. Failure to do so shall constitute a Default. In the event of a Default in making post-petition payments, said Default shall constitute "cause", including lack of adequate protection of its interest in the Real Property, and Creditor may request by motion an order terminating, annulling, or conditioning the automatic stay invoked herein by 11 U.S.C. § 362.

4. Plan confirmation is subject to the terms and conditions stated herein.

SO ORDERED

SUBMITTED BY:

/s/ Joel K. Jensen

Joel K. Jensen, Case Attorney  
Ohio Supreme Court Reg. No. 0029302  
LERNER, SAMPSON & ROTHFUSS  
P.O. Box 5480  
Cincinnati, OH 45201-5480  
(513) 241-3100  
(513) 241-4094 Fax  
sohbk@lsrlaw.com  
Attorneys for Creditor

APPROVED BY:

/s/ James Wiley Park

James Wiley Park, Counsel for Debtor(s)  
Ohio Supreme Court # 82331  
PO Box 20622  
Columbus, OH 43220  
jameswparkesq@gmail.com  
Attorney for Debtor(s)

/s/ Edward A. Bailey by AHS (0076779)

Edward A. Bailey, Chapter 13 Trustee  
Andrew Stimmel, Staff Attorney  
Bar Registration No. 0076779  
One Columbus  
130 E. Wilson Bridge Road  
Suite 200  
Worthington, OH 43085  
(614) 436-6700  
notices@ch13columbus.com

COPIES TO:

DEFAULT LIST

Joel K. Jensen - Attorney for Movant  
LERNER, SAMPSON & ROTHFUSS